

103D CONGRESS
1ST SESSION

H. J. RES. 254

Proposing an amendment to the Constitution of the United States to provide that no State shall be obligated by new Federal law to perform any new or expanded program or service, unless the expenses of doing so are paid by the Federal Government.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 6, 1993

Mr. FRANKS of New Jersey (for himself, Mr. LIPINSKI, Mr. BLUTE, Mrs. LLOYD, Mr. STUMP, Mr. SOLOMON, and Mr. EWING) introduced the following joint resolution; which was referred to the Committee on the Judiciary

JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States to provide that no State shall be obligated by new Federal law to perform any new or expanded program or service, unless the expenses of doing so are paid by the Federal Government.

1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled*
3 *(two-thirds of each House concurring therein), That the fol-*
4 *lowing article is proposed as an amendment to the Con-*

1 stitution of the United States, which shall be valid to all
2 intents and purposes as part of the Constitution when
3 ratified by the legislatures of three-fourths of the several
4 States within seven years after the date of its submission
5 for ratification:

6 “ARTICLE —

7 “SECTION 1. Except as provided in this article of
8 amendment, no State or local governmental authority cre-
9 ated by a State shall be obligated by Federal law or regu-
10 lation (other than this Constitution) to perform any new
11 or expanded program or service, as may be defined by Act
12 of Congress, if that law or regulation takes effect after
13 the adoption of this article of amendment, unless sufficient
14 Federal funds are provided to the affected State or local
15 governmental authority as may be necessary to pay the
16 net additional costs directly required for the actual per-
17 formance of that program or service or the expanded por-
18 tion of that program or service.”.

19 “SECTION 2. Congress may, by Act of Congress
20 agreed to by two-thirds of the members voting and present
21 in each House, suspend for not more than 180 days the
22 operation of section 1 of this article during a period the
23 Congress determines in such Act to be an emergency, but
24 any law or regulation the effect of which would be limited
25 by section 1 in the absence of such a Act must, before

- 1 it takes effect, be expressly approved by a separate Act
- 2 agreed to by two-thirds of the members voting and present
- 3 in each House.”.

